IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 19208 of 2005

Between:

Smt.A.Nagamani and another

..... PETITIONERS

AND

The Government of Andhra Pradesh,

represented by its Special Chief Secretary,

Revenue Department,
Secretariat, Hyderabad and another

.....RESPONDENTS

ORDER:

Petitioners claim to have purchased property mentioned in the writ petition situated at Karmanghat village, Saroornagar Mandal, Rangareddy District from the owners of the said land. Their grievance is that the 2nd respondent, Sub-Registrar, is not entertaining the gift deed and sale deed for registration, on the ground that a notification was issued by the Government under Section 22-A of the Registration Act (for short 'the Act'), in respect of the said lands. Petitioners point out that the Government has since revised its order, and as on today, there does not exist any prohibition, in respect of the plots purchased by them.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

In exercise of its powers under Section 22-A of the Act, the Government issued G.O.Ms.No.751, dated 12.12.2001, prohibiting registration of documents, in relation to the land in various survey numbers including Sy.Nos.57 to 60 of Karmanghat village, Saroornagar Mandal. If this notification is in force as on today, no relief, as such, can be granted to the petitioners. However, the Government issued subsequent orders in G.O.Ms.No.807, dated 13.10.2004. Through this, it has withdrawn its earlier orders in G.O.Ms.No.751, dated 12.12.2001. As on today, there is no restriction, in so far as it relates to the land in Sy.Nos.57, 58, 59 and 60 of Kharmanghat village, Saroornagar Mandal. Therefore, there does not exist any prohibition for registration of the lands covered by those survey numbers. On an earlier occasion, this Court dealt with the same aspect in W.P.Nos.8705 of 2002 and batch, and took the view that the documents, in relation to the lands in those survey numbers have to be entertained and processes.

For the foregoing reasons, the writ petition is allowed, and the

2nd respondent is directed to process the documents presented by, or on behalf of the petitioners, and take necessary steps in accordance with law.

K.C. BHANU,J

Dated: 31.08.2005

Dsr